

REMARKS

Claims 1-83 are now pending in the application. Claims 1, 20, 31, 50 and 61 are amended herein. New Claims 84-86 are presented herein. While Applicant disagrees with the current rejections, Applicant has amended the claims to expedite prosecution. Applicant reserves the right to pursue the claims as originally filed in one or more continuing applications. Support for the amendments to the claims can be found throughout the drawings and specification. As such, no new matter is added. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-21, 23-79, and 81-83 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sims III (U.S. Pat. No. 6,550,011) in view of Searle (U.S. Pat. No. 6,683,954). This rejection is respectfully traversed.

With respect to Claim 1, Sims III and Searle do not at least show, teach or suggest a public key decryption module that **controls decryption of an encrypted content key for a secure hard drive** using a private key to generate a content key, where the private key is generated **based on a device specific ID**.

Sims III and Searle do not disclose a secure hard drive that decrypts an encrypted content key using a device specific ID. As best understood by Applicant, Sims III discloses the decryption of an encrypted public key by a nonvolatile storage device, such as a hard disk drive (HDD). As further best understood by Applicant, Searle discloses the decryption of a key by a computer using an identifier that is unique

to the computer. In Searle, data is encrypted by the computer using the key prior to being stored. Thus, there is no suggestion in either Sims III or Searle for a HDD to perform decryption using a device specific ID.

Traditionally, hard drives that are similar to each other may have or have access to the same private/public key sets. Thus, for example, when a storage medium such as a disk (platter) is removed from a hard drive, another hard drive may be able to decrypt information on that disk. The invention of Claim 1 limits decryption of content on a disk to only an individual hard drive with the device specific ID.

The Examiner admits that Sims III fails to disclose a private key that is generated based on a device specific ID. For at least this reason, Sims III also fails to disclose decryption of an encrypted content key using a private key that is generated via a device specific ID.

The Examiner alleges that Searle discloses a private key that is generated via a device specific ID. As best understood by Applicant, Searle discloses an encryption/decryption technique that prevents copying of information between computers. In Searle, a first key is generated based on a unique identifier of a computer, such as a network card address or a hard disk drive serial number. The first key is used to encrypt a second key. The second key is stored in a storage device of a first computer. See, for example, col. 6, lines 9-10 of Searle. The use of the unique identifier and the first key prevents access to encrypted data by a second computer. For example, when the second computer obtains a copy of the encrypted data and a copy of the encrypted second key, the second computer is unable to determine the first key and decrypt the decrypted data.

Regardless if Searle discloses a device specific ID, the unique ID of Searle is specific to a computer and may be determined by another computer by, for example, obtaining the serial number of the HDD of the first computer. A HDD serial number is easily accessible. A serial number of a HDD may be determined by, for example, visual inspection of the HDD and/or removal of the HDD from a computer. A second computer that is similar to the first computer (e.g. capable of performing similar encryption/decryption techniques) would be able to obtain the first key based on the obtained serial number and a copy of an encrypted second key. Also, note that the decryption of Searle is performed by a computer, not by a HDD. In contrast, the decryption of Claim 1 is performed by a HDD. The decryption of Claim 1 prevents the access of encrypted data by other HDDs. This capability is not disclosed or suggested in Searle.

The combination of the Sims III and Searle does not suggest the decryption of Claim 1. Sims III is directed to the encryption/decryption of data by a storage device. Searle is directed to the encryption/decryption of data prior to transmission to a nonvolatile memory, such as a HDD. Thus, at best the combination of Sims III and Searle would suggest the encryption of data and generation of corresponding keys by a computer using a computer specific identifier prior to further encryption and use of additional keys by a storage device. Put another way, the combination of Sims III and Searle would suggest the decryption of data and corresponding private/public keys stored on a HDD prior to further decryption by a computer using a computer specific identifier. Thus, the combination of Sims III and Searle would not suggest the use of a device specific ID by a HDD.

Furthermore, with respect to a HDD, Searle appears to disclose the use of a HDD serial number as a unique identifier for the generation of a first key. It would be illogical for an encryption device of a HDD to use a HDD serial number when performing encryption. As stated above, should the HDD be visually accessible or removed the serial number would be easily obtained. Thus, it would not have been obvious to combine Sims III and Searle, as suggested by the Examiner.

It is a longstanding rule that to establish a prima facie case of obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 USPQ 143 (CCPA 1974), see MPEP §2143.03.

Therefore, Claim 1 is allowable for at least these reasons. Claims 20, 31, 50 and 61 are allowable for at least similar reasons as Claim 1. Claims 2-19, 21-30, 32-49, 51-60, and 62-86 ultimately depend from Claims 1, 20, 31, 50 and 61 and are allowable for at least similar reasons.

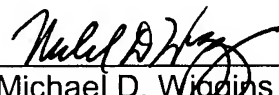
With respect to Claim 83, Sims III and Searle do not at least show, teach or suggest based on a chip ID of the secure hard drive. This feature does not appear to be addressed by the Examiner. Applicant is unable to find disclosure of this feature in either Sims III or Searle. A HDD serial number is not the same as a chip ID of a chip of a HDD. An HDD serial number is typically stamped or printed on a housing of a HDD and is visually accessible and easily determinable. A chip ID corresponds to an internal circuit component of a HDD and is typically not visually accessible or easily determinable. Therefore, Claim 83 is further allowable for at least the above reasons.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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